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Attorneys for Plaintiff, KATHLEEN M. HANSON

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

KATHLEEN M. HANSON,

Plaintiff,

vs.

RITE AID CORPORATION,
a Delaware corporation,

Defendant.

Case No.: C 07-00515 PJH

**~~STIPULATION AND REQUEST FOR
ORDER MODIFYING PRETRIAL
DEADLINES; ORDER~~**

DENYING REQUEST TO MODIFY
PRETRIAL DEADLINES

STIPULATION AND REQUEST FOR ORDER MODIFYING PRETRIAL DEADLINES; ORDER

C 07-00515 PJH

1 Plaintiff Kathleen M. Hanson ("Plaintiff") and defendant Rite Aid
2 Corporation ("Defendant"), by and through their respective counsel, submit the
3 following stipulation and request for order modifying the pretrial deadlines in
4 this case.

5 **RECITALS AND STIPULATION**

6 1. The parties completed written discovery (including requests for
7 admissions, interrogatories, and requests for documents) and scheduled a joint
8 trip to Redding, California on February 25 and 26, 2008, for depositions.
9 Plaintiff's deposition was scheduled for February 25, 2008, and the depositions
10 of two of Rite Aid's employees were to be taken on February 26, after the
11 completion of plaintiff's deposition.

12 2. Plaintiff's deposition proceeded on February 25 as planned.
13 Approximately an hour into the deposition, plaintiff's counsel and plaintiff took
14 a break. When they returned from the break, plaintiff's counsel reported that
15 plaintiff was on medication and suggested that the medication might be
16 affecting her ability to remember things. Defense counsel questioned her in
17 that regard, and she testified that she felt her medication was impairing her
18 ability to remember details.

19 3. Defense counsel noted on the record that plaintiff's testimony that
20 she could not recall things due to her medication posed a problem in terms of
21 completing the deposition. Plaintiff's counsel agreed. Plaintiff's counsel
22 suggested that plaintiff needed to be evaluated by a clinician to determine
23 what, if any, problem her medication presented. Counsel agreed the deposition
24 should be suspended subject to that evaluation.

25 4. Plaintiff's counsel has represented that plaintiff has been evaluated
26 by her psychologist, Marie Witt, Ph.D., and that Dr. Witt has indicated that
27 plaintiff should have recovered sufficiently by April 14, 2008, to enable her to
28 give an accurate deposition.

5. The parties are attempting to reschedule the depositions for the first available dates in May.

6. The parties have lost more than two months in terms of their ability to complete the crucial depositions in this case due to the foregoing.

7. WHEREFORE, in order to compensate for this lost time, the parties hereby stipulate to and request a modification of the scheduling order, as follows:

	<u>Current Date:</u>	<u>Proposed Modified Date:</u>
Non-expert discovery cut-off:	May 23, 2008	July 23, 2008
Disclosure of Experts:	June 23, 2008	August 23, 2008
Dispositive Motions:	July 23, 2008	September 23, 2008
Expert discovery cutoff:	July 23, 2008	September 23, 2008

8. This is the parties' first request for a schedule modification. The requested modification will not affect the current pretrial conference or trial dates.

IT IS SO STIPULATED.

Dated: April 21, 2008

KELLY, HERLIHY & KLEIN LLP

By /Thomas K. Hockel/
Thomas K. Hockel
Attorneys for Defendant
RITE AID CORPORATION

Dated: April 21, 2008

PAUL B. MEADOWBROOK, P.C.

By /Paul B. Meadowbrook/
Paul B. Meadowbrook
Attorneys for Plaintiff Kathleen
M. Hanson

-2-

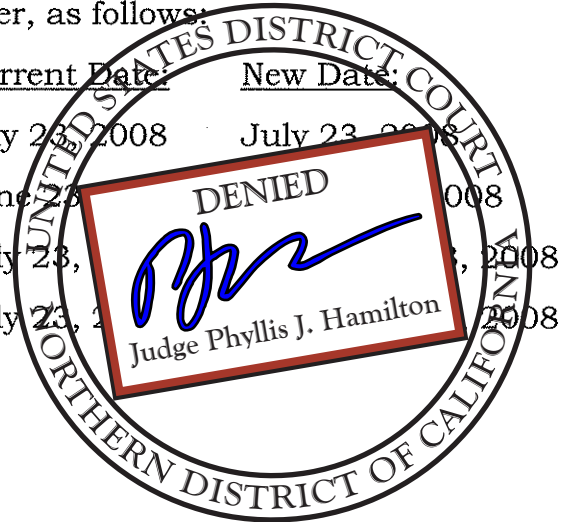
STIPULATION AND REQUEST FOR ORDER MODIFYING PRETRIAL DEADLINES; ORDER

C 07-00515 PJH

ORDER

Having considered the parties' stipulation, and good cause appearing, the Court modifies its scheduling order, as follows:

	<u>Current Date:</u>	<u>New Date:</u>
Non-expert discovery cut-off:	May 23, 2008	July 23, 2008
Disclosure of Experts:	June 23, 2008	July 23, 2008
Dispositive Motions:	July 23, 2008	July 23, 2008
Expert discovery cutoff:	July 23, 2008	July 23, 2008



IT IS SO ORDERED.

Dated: _____

UNITED STATES DISTRICT JUDGE